

REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL
March 15, 2004

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** was held on Monday, March 15, 2004, at 7:51 p.m., in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina.

PRESENT: Mr. James H. Rozier, Jr., Supervisor-Chairman; Mr. Milton Farley, Councilmember District No. 1; Ms. Judith K. Spooner, Councilmember District No. 2; Mr. William E. Crosby, Councilmember District No. 3; Mr. Charles E. Davis, Councilmember District No. 4; Mr. Dennis L. Fish, Councilmember District No. 5; Mrs. Judy C. Mims, Councilmember District No. 6; Mr. Caldwell Pinckney, Jr., Councilmember District No. 7; Mr. Steve C. Davis, Councilmember District 8; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Rozier called the meeting to order and stated the Invocation and Pledge were held at an earlier meeting.

Chairman Rozier asked Council's approval of the minutes for Public Hearings, Bills Numbered 03-80, 03-81, and 03-82; and the Regular Council Meeting held on February 16, 2004.

It was moved by Councilmember Spooner and seconded by Councilmember Steve Davis to approve the minutes as referenced. The motion passed by unanimous voice vote of Council.

No one signed for **PUBLIC DISCUSSION**; and an **EXECUTIVE SESSION** was not needed.

CHAIRMAN OF COUNTY COUNCIL

Chairman Rozier indicated he had a request from the Berkeley Museum that stated, *"Dear Jim, on behalf of the Board of Directors of the Berkeley Museum, we would like to ask you or an appointed representative to become a Board Member of the museum. Our meetings are conducted the second Thursday of every month at 6:00 p.m. We also have an upcoming Planning Meeting scheduled for March 20 at Wampee Conference Training Center from 9:00 a.m. to 4:00 p.m. I look forward to hearing from you. Shanda Thornley, Chairman of the Board of Directors, Berkeley County Museum."*

Chairman Rozier stated Chip Boling from Clemson University was present to discuss a proclamation for Council's approval regarding PLANT A ROW FOR THE HUNGRY.

Mr. Boling stated Plant A Row For The Hungry is a Community Development Program started by Clemson in 2002. It is a citizens helping citizens program that collected a little over 80,000 pounds of fresh fruits and vegetables that was redistributed to the needy individuals who might be elderly through the Meals on Wheels Programs, the Homeless, children who are food insecure, etc. There is no budget set aside, and it's strictly voluntary. The program is a National Program and is sponsored through the Garden Writers of America. Mr. Boling stated they brought it to the local area in 2000, and he has received notification that the program in Berkeley, Charleston and Dorchester Counties is the fifth highest donation program in the United States. On the local level they collected 7 percent of all the fresh fruits and vegetables that was gathered nationwide; 5 percent of what was gathered in the United States and Canada; and 89 percent of all that was gathered in South Carolina. Their effort is to encourage communities to declare March as Plant A Row For The Hungry month. Mr. Boling stated they were excited that Council has agreed to issue the Proclamation.

Chairman Rozier asked if the Master Gardener Program was very involved?

Mr. Boling responded the Master Gardeners are the backbone of this program. Not only do they help coordinate the collection, the Master Gardeners also stand as mentors to anyone who actually has a vegetable garden and needs help.

Chairman Rozier stated this is PSA (Public Service and Activities) out of Clemson and suggested that if anyone got a chance to speak with their House of Representatives or Senate members tell them that PSA is important. The Governor was in the process of cutting PSA 46 percent this year and this service encompasses all of the programs under Public Service and Activities.

Chairman Rozier read the Proclamation as follows:

“WHEREAS HUNGER IS A CONCERN AMONG THE 26% OF PEOPLE IN SOUTH CAROLINA WHO LIVE AT OR BELOW THE POVERTY LEVEL, AND

“WHEREAS 1 IN EVERY 4 CHILDREN IN SOUTH CAROLINA IS FOOD INSECURE OR HUNGRY, AND

“WHEREAS 27% OF ALL FOOD GROWN IN THIS COUNTRY IS THROWN AWAY, AND

“WHEREAS GARDENERS NEED TO HELP THOSE IN NEED IN THEIR COMMUNITY, AND

“WHEREAS LAST YEAR 81,312 POUNDS OF FRUITS AND VEGETABLES WERE DONATED BY LOCAL GARDENERS AND FARMERS, AND

“WHEREAS PLANT A ROW FOR THE HUNGRY IS SPONSORED LOCALLY BY CLEMSON EXTENSION SERVICE AND ITS MASTER GARDENER PROGRAM, AND

“WHEREAS PLANT A ROW FOR THE HUNGRY HELPS TO PROVIDE FRESH FRUITS AND VEGETABLES WHICH ARE DISTRIBUTED BY LOCAL AGENCIES AND ORGANIZATIONS, AND

“WHEREAS PLANT A ROW FOR THE HUNGRY MAKES FRESH FOOD A REALITY FOR CHILDREN, THE HOMELESS, THE POOR, THE ELDERLY, THE SICK AND INFIRM, AND THOSE IN CRISIS WHO MIGHT NOT OTHERWISE HAVE ACCESS TO FRESH FOOD,

LET IT BE KNOWN THAT:

THE COUNTY OF BERKELEY HEREBY JOINS WITH THE HEART AND SPIRIT OF THE PLANT A ROW FOR THE HUNGRY CAMPAIGN, CREATED BY THE GARDEN WRITERS ASSOCIATION OF AMERICA AND COORDINATED BY CLEMSON UNIVERSITY COOPERATIVE EXTENSION SERVICE, TO INSPIRE AND ORGANIZE THE PUBLIC IN A DEDICATED EFFORT TO ELIMINATE HUNGER WITHIN OUR BOUNDARIES. THE COUNTY OF BERKELEY HEREBY DEDICATES THE MONTH OF MARCH IN THE YEAR 2004 AS

PLANT A ROW FOR THE HUNGRY MONTH

THIS PROCLAMATION IS MADE BY JAMES H. ROZIER, JR., SUPERVISOR AND CHAIRMAN OF COUNTY COUNCIL OF BERKELEY COUNTY RECOGNIZING MARCH 2004, AS PLANT A ROW FOR THE HUNGRY MONTH AND CALLING UPON ALL BERKELEY COUNTY RESIDENTS, MASTER GARDENERS, APPROPRIATE OFFICIALS, ORGANIZATIONS AND BUSINESSES TO DEDICATE EFFORTS TO THE RELIEF OF HUNGER AND ALL AMERICANS TO CONDUCT OBSERVANCES AND PROGRAMS DESIGNED TO INFORM THE PUBLIC OF THE NECESSITY AND VALUE OF THIS ESSENTIAL PROGRAM.”

It was moved by Councilmember Fish and seconded by Councilmember Spooner to approve the Plant A Row For The Hungry Proclamation. The motion passed by unanimous voice vote of Council.

Chairman Rozier stated there were four Bills for Third Reading.

THIRD READINGS:

“BILL NO. 04-01, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #211-00-02-009.” (*Barry Whalen*)

It was moved by Councilmember Crosby and seconded by Councilmember Charles Davis to approve Bill No. 04-01 for Third and Final Reading. The motion passed by unanimous voice vote of Council. (*A copy of Ordinance No. 04-03-06 is attached to these Minutes.*)

“BILL NO. 04-02, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #271-00-02-055.” (*Portrait Homes*)

It was moved by Councilmember Steve Davis and seconded by Councilmember Pinckney to approve Bill No. 04-02 for Third and Final Reading. The motion passed by unanimous voice vote of Council. (*A copy of Ordinance No. 04-03-07 is attached to these Minutes.*)

“BILL NO. 04-03, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #244-15-07-004.” (*Susanna and David Young*)

It was moved by Councilmember Crosby and seconded by Councilmember Fish to approve Bill No. 04-03 for Third and Final Reading. The motion passed by unanimous voice vote of Council. (*A copy of Ordinance No. 04-03-08 is attached to these Minutes.*)

“BILL NO. 04-04, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #197-00-01-019.” (*Foxbank Partners, LLC*)

It was moved by Councilmember Crosby and seconded by Councilmember Fish to approve Bill No. 04-04 for Third and Final Reading. The motion passed by unanimous voice vote of Council. (*A copy of Ordinance No. 04-03-09 is attached to these Minutes.*)

Berkeley County Council Rules allows all bills to be given second reading by one motion as a collective group. Any member may object to a particular bill and it shall be separated from the collective group and handled by a separate motion.

Without objection Chairman Rozier read the five Bills for Second reading as a collective group to be given Second Reading by one motion.

SECOND READINGS:

1. **“BILL NO. 04-06, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #s 194-00-02-060 and 194-00-02-113.”** (*Samuel Haney and David Gadsen*)

2. **“BILL NO. 04-07, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #195-11-02-013.”** (*Steven & Kristie Peterson*)

3. **“BILL NO. 04-08, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #025-00-01-105.”** (*Walter Hill*)

4. **“BILL NO. 04-09, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #175-00-02-051.”** (*Jack Pryor*)

5. **“BILL NO. 04-10, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #030-00-03-012.”** (*Nathaniel & Shannon White*)

6. **“BILL NO. 04-11, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #016-00-07-019.”** (*Arthur White*)

It was moved by Councilmember Mims and seconded by Councilmember Pinckney to approve Bills Numbered 04-06, 04-07, 04-08, 04-09, 04-10 and 04-11 for Second Reading. The motion passed by unanimous voice vote of Council.

Chairman Rozier read the 12 Bills for First Reading and explained that Bills for First Reading are not debated or voted upon; they are read into the record and sent to the proper committee.

FIRST READINGS:

1. “**BILL NO. 04-12**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #268-00-00-107.” (*Michael Alston*)

2. “**BILL NO. 04-13**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #271-00-02-029.” (*Linda A. Gibson*)

3. “**BILL NO. 04-14**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #221-00-00-092.” (*Patrick D'Angelo*)

4. “**BILL NO. 04-15**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #221-00-00-093.” (*Tommy Travis Grooms*)

5. “**BILL NO. 04-16**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #221-00-00-087.” (*Elizabeth Brown*)

6. “**BILL NO. 04-17**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #121-00-00-015.” (*John Wilson*)

7. “**BILL NO. 04-18**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #269-00-00-009.” (*Thomas & Hutton Engineering*)

8. “**BILL NO. 04-19**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #049-00-02-018.” (*Roger Greene*)

9. “**BILL NO. 04-20**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #233-08-03-028.” (*Thomas Walker*)

10. **"BILL NO. 04-21, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #233-08-03-029."** (*Amy Savage*)

11. **"BILL NO. 04-22, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #263-00-01-056."** (*Gray McSweeney*)

12. **"BILL NO. 04-23, AN ORDINANCE TO AMEND ORDINANCE NO. 03-06-38, ADOPTED JUNE 16, 2003, TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS AND ALLOCATIONS THEREOF WITHIN THE 2003-2004 BUDGET FOR BERKELEY COUNTY; AND OTHER MATTERS RELATING THERETO."**

RESOLUTIONS:

1. **"RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS APPROPRIATED IN THE 2003-2004 BUDGET FOR BERKELEY COUNTY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET."**

It was moved by Councilmember Spooner and seconded by Councilmember Crosby to approve the Resolution to incorporate the figures previously voted on for the Clerk of Court. The motion passed by unanimous voice vote of Council. (*A copy of Resolution No. R 04-08 is attached to these Minutes.*)

2. **"RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS APPROPRIATED IN THE 2003-2004 BUDGET FOR BERKELEY COUNTY WATER AND SANITATION AUTHORITY FOR AUTHORITY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET."**

It was moved by Councilmember Steve Davis and seconded by Councilmember Fish to approve the Resolution for the 2003-004 Water and Sanitation Budget. The motion passed by unanimous voice vote of Council. (*A copy of Resolution No. R 04-09 is attached to these Minutes.*)

3. **"RESOLUTION AUTHORIZING THE VICE CHAIRMAN OF COUNTY COUNCIL TO NEGOTIATE AND EXECUTE A CONTRACT WITH THE BERKELEY-CHARLESTON-DORCHESTER COUNCIL OF GOVERNMENTS FOR PLANNING SERVICES REGARDING REVIEW OF THE COUNTY'S COMPREHENSIVE PLAN AS MANDATED BY S.C. CODE OF LAWS § 6-29-510, 1976, AS AMENDED."**

It was moved by Councilmember Fish and seconded by Councilmember Charles Davis to approve the Resolution Re: Berkeley-Charleston-Dorchester Council of Governments. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. R 04-10 is attached to these Minutes.)

4. “RESOLUTION TO REQUEST THE BERKELEY COUNTY LEGISLATIVE DELEGATION TO RECOMMEND CERTAIN FUNDS FOR A STUDY TO ENHANCE AND PROMOTE PUBLIC BOATING ACCESS.”

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to approve the Resolution Re: Public Boating access.

Chairman Rozier stated he saw one estimate that showed approximately 80 percent of the boats that are on trailers in the State of South Carolina has used Berkeley County’s waterways.

The motion passed by unanimous voice vote of Council. (A copy of Resolution No. R 04-11 is attached to these Minutes.)

5. “RESOLUTION DESIGNATING SURPLUS PROPERTY OF BERKELEY COUNTY AND AUTHORIZING THE DISPOSAL OF THE SURPLUS PROPERTY.”

It was moved by Councilmember Crosby and seconded by Councilmember Mims to approve the Resolution Re: Disposal of Surplus Property. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. R 04-12 is attached to these Minutes.)

REPORTS FROM STANDING COMMITTEES:

COMMITTEE ON FINANCE, Mr. Dennis L. Fish, Chairman.

Councilmember Fish reported the Committee met earlier tonight and many of the items were taken care of.

On recommendation of the Committee Councilmember Fish moved to approve the re-designation of lease purchase funds for the purchase of computers for several County Departments. (No Second Required)

The motion passed by unanimous voice vote of Council.

On recommendation of the Committee Councilmember Fish moved to approve the transfer from contingency of an amount not to exceed \$15,000 for contractual services for the Comprehensive Plan Review. (No Second Required)

The motion passed by unanimous voice vote of Council.

On recommendation of the Committee Councilmember Fish moved to approve the transfer from Contingency \$81,150 for the increase in the County's Insurance Reserve Fund premiums. (No Second Required)

The motion passed by unanimous voice vote of Council. (That concluded Mr. Fish's report.)

COMMITTEE ON LAND USE, Mr. Milton Farley, Chairman.

Councilmember Farley reported the Committee met on March 8, and many of the matters before the Committee have been taken care of on tonight's agenda.

On recommendation of the Committee Councilmember Farley moved to deny the request by Jessco, Sangaree Parkway, Summerville, TMS #233-00-00-034, (5.9 acres), from R-1, Single Family Residential District, to GC, General Commercial District. (No Second required)

Councilmember Farley deferred to Councilmember Charles Davis for further recommendation on this parcel.

It was moved by Councilmember Charles Davis and seconded by Councilmember Crosby to amend the main motion by striking out the word *deny* and inserting the words *approve for First Reading* the request by Jessco, Sangaree Parkway, TMS #233-00-00-034.

Councilmember Spooner asked if there were any plans for the use of this rezoning?

Councilmember Davis responded he had spoken with the contractor, reviewed the plans and this use would benefit the community. It is not Multi-family residential.

The motion passed by unanimous voice vote of Council. (Bill No. 04-24 was assigned to this action) (That concluded Mr. Farley's report.)

COMMITTEE ON PUBLIC WORKS AND PURCHASING, Mr. Caldwell Pinckney, Jr., Chairman.

Councilmember Pinckney reported the Committee met on March 8 and earlier tonight. Several matters before the Committee have been taken care of on tonight's agenda.

On recommendation of the Committee Councilmember Pinckney moved to approve the sole source purchase of an upgrade for the GIS System from Sesame Systems in the amount of \$16,000. (No Second Required)

The motion passed by unanimous voice vote of Council.

On recommendation of the Committee Councilmember Pinckney moved to award the contract for the New Berkeley County Office Building to Harbor Contracting, LLC, in the amount of \$4,296,300. (No Second Required)

The motion passed by unanimous voice vote of Council.

Also, on recommendation of the Committee Councilmember Pinckney moved to award the contract for the SCIBRS Records Management System software for the Sheriff's Department, to WTH Technology Group in the amount of \$55,679. (No Second Required)

The motion passed by unanimous voice vote of Council.

On recommendation of the Committee Councilmember Pinckney moved to award the contract for the Courthouse & Annex Selective Roof replacement/repairs to AAR of North Carolina in the amount of \$173,300.00. (No Second Required)

The motion passed by unanimous voice vote of Council.

On recommendation of the Committee Councilmember Pinckney moved to reject all bids submitted for Sangaree Special Tax District Residential and Commercial Solid Waste Franchise and to authorize the staff of the Berkeley County Water and Sanitation Department to open the process for rebid. (No Second Required)

The motion passed by unanimous voice vote of Council. (That concluded Mr. Pinckney's report.)

COMMITTEE ON JUSTICE AND PUBLIC SAFETY, Mrs. Judy C. Mims, Chairman.

Councilmember Mims reported the Committee met on March 8. All matters before the Committee have been taken care of on tonight's agenda. (That concluded Mrs. Mims' report.)

COMMITTEE ON WATER AND SANITATION, Mr. Steve C. Davis,
Chairman.

Councilmember Steve Davis reported the Committee met on March 8. All matters before the Committee have been taken care of on tonight's agenda. (That concluded Mr. Steve Davis' report.)

There was no report from the **COMMITTEE ON PLANNING AND DEVELOPMENT**, Mr. Charles Davis, Chairman.

COMMITTEE ON COMMUNITY SERVICE, Mrs. Judith K. Spooner,
Chairman.

Councilmember Spooner reported the Committee met on March 8.

On recommendation of the Committee Councilmember Spooner moved to approve the application of an LSTA Grant in the amount of \$50,000 to provide an opening day collection for the Daniel Island's Library. (No Second Required.)

The motion passed by unanimous voice vote of Council.

Councilmember Spooner reported that in conversation with the Library Director she had been reminded that within the last three years there had been a 60 percent cut in the per capita funds. It had been \$2.00 per person, went down to \$1.00, and now it is being cut to \$.80. She stated they would be looking at some very aggressive ways of raising funds for books in Berkeley County. (That concluded Mrs. Spooner's report.)

There was no report from the **COMMITTEE ON HUMAN SERVICES**, Mr. William Crosby, Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS AND COMMISSIONS.

Councilmember Crosby reappointed Katie Booker as an at large member to the Berkeley County Mental Health Board.

Councilmember Spooner appointed Richard Smith to the Board of Zoning and Appeals.

Councilmember Fish reappointed Sandra Decker to the Berkeley County Library Board.

Councilmember Mims appointed Councilmember Steve Davis as a Board Member to the Berkeley County Museum.

The Nominations passed by unanimous voice vote of Council.

There was no **CORRESPONDENCE OR UNFINISHED BUSINESS.**

NEW BUSINESS

Mr. Mark Stokes, County Attorney, stated an agreement had been reached with the Town of Moncks Corner in regard to inspections for the New County Services Building. Berkeley County would issue its permit and conduct inspections. In return this agreement releases the Town from any liability. As a result he drafted a Resolution that would authorize the County Supervisor to execute an agreement with the Town of Moncks Corner for matters relating to the renovation of the future Berkeley County Services Building.

Councilmember Mims asked how much money would the County save?

Mr. Stokes stated it was hard to determine the savings in regard to the permit; it would be based upon the value of the renovation, probably \$7,000 to \$8,000. There really won't be a cost savings for inspections.

Chairman Rozier stated it was a very nice gesture for the Town of Moncks to honor the County's request regarding the renovation. He added that the way was paved when the Berkeley Motel had major renovations done and were going to annex into the City. Berkeley County allowed the City to issue the permits while they were still in the County and do their own inspections.

Councilmember Spooner inquired as to whether the City of Goose Creek would work with the County.

Chairman Rozier stated he had not gotten to that point because the gentleman he negotiated the Satellite Services Building with was ill and he was waiting to converse with him.

"RESOLUTION AUTHORIZING THE COUNTY SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE TOWN OF MONCK'S CORNER FOR CERTAIN MATTERS RELATING TO THE RENOVATION OF THE FUTURE BERKLEY COUNTY SERVICES BUILDING."

It was moved by Councilmember Pinckney and seconded by Councilmember Steve Davis to approve the Resolution regarding the agreement with the Town of Moncks Corner. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 04-13 is attached to these Minutes.)

ANNOUNCEMENTS

Chairman Rozier announced that the next Regular Council Meeting would be held on Monday, April 19, 2004 in the Assembly Room immediately following Public Hearings and the meeting of the Committee on Finance at 6:00 p.m.

It was moved by Councilmember Fish and seconded by Councilmember Spooner to adjourn. The motion passed by unanimous voice vote of Council.

The Regular Council Meeting adjourned at 8:20 p.m.

S/Barbara B. Austin
Clerk of County Council

April 19, 2004
Date Approved

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** to be held on **Monday March 15, 2004**, is scheduled to begin immediately following Public Hearings, the meeting of the Committee on Finance and the meeting of the Committee on Public Works and Purchasing at 6:00 P.M., in the **ASSEMBLY ROOM, BERKELEY COUNTY OFFICE BUILDING, 223 NORTH LIVE OAK DRIVE, MONCKS CORNER, S. C.**

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

APPROVAL OF MINUTES:

Public Hearings: Bills Numbered: 03-80, 03-81, 03-82
Regular Council Meeting

February 16, 2004
February 16, 2004

PUBLIC DISCUSSION - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

CHAIRMAN OF COUNTY COUNCIL

PROCLAMATION: PLANT A ROW FOR THE HUNGRY.

THIRD READING:

1. Bill No. 04-01, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re. **Barry Whalen** for George Herrin, Old Highway 52 and Cypress Gardens Road, Moncks Corner, TMS# 211-00-02-009, (167.79 acres portion of 576 acres total), **from HI, Heavy Industrial District, to R-1, Single Family Residential District, (155.49 acres) R-4, Multi Family Residential District, (10.87) acres, GC General Commercial District, (1.43 acres).** Council District No. 3.

[Recommended by Committee on Land Use]

2. **Bill No. 04-02**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Portrait Homes** for Dorothy Shad, et al, Clements Ferry Road and Sanders Farm Lane, Wando, TMS# 271-00-02-055, **from PDMU, Planned District Mixed Use, (39.0 acres total), to GC General Commercial District, (5.41 acres), and R-4, Multi Family Residential District, (33.59 acres)**. Council District No. 8.

[Recommended by Committee on Land Use]

3. **Bill No. 04-03**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Susanna and David Young**, Old Back River Road and Smallhill Lane, Goose Creek, TMS# 244-15-07-004, (5.02 acres), **from R-1, Single Family Residential District, to R-2, Mobile Home Residential District**. Council District No. 3.

[Recommended by Committee on Land Use]

4. **Bill No. 04-04**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **FoxBank Partners, LLC**, US Highway 52 near Cypress Gardens Road, Goose Creek, TMS# 197-00-01-019, (405.53 acres total), **from F-1, Agricultural District, to GC, General Commercial District, (21.6 acres), R-5, Multi Family District, (26.5 acres)**. Council District No. 3.

[Recommended by Committee on Land Use]

Berkeley County Council Rules allows all bills to be given second reading by one motion as a collective group. Any member may object to a particular bill and it shall be separated from the collective group and handled by a separate motion.

SECOND READING:

1. **Bill No. 04-06**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Samuel Haney**, Haney Branch Road, Summerville, TMS# 194-00-02-060, (3.43 acres), and **David Gadsen**, Haney Branch Road, Summerville, TMS# 194-00 02-113, (.8 acres), **from F-1, Agricultural District, to GC, General Commercial District**. Council District No. 7.

[Recommended by Committee on Land Use]

2. **Bill No. 04-07**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Steven & Kristie Peterson**, 160 Adaba Dixie Lane, Summerville, TMS# 195-11-02-013, (15.9 acres), **from R-2, Manufactured Residential District, to R2-RF, Mobile Rome Farm District**. Council District No. 6.

[Recommended by Committee on Land Use]

3. **Bill No. 04-08**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Walter Hill**, Rosalee Lane, St. Stephen, TMS# 025-00-01-105, (.5 acres portion, 1 acre total), **from F-1, Agricultural**

District, to RNC, Rural and Neighborhood Commercial District. Council District No. 7.

[Recommended by Committee on Land Use]

4. **Bill No. 04-09**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Jack Pryor**, Gaddist Road, Ridgeville, TMS# 175-00-02-051, (1.24 acres), **from F-1, Agricultural District, to R-5, Multifamily District Large Scale.** Council District No. 7.

[Recommended by Committee on Land Use]

5. **Bill No. 04-10**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Nathaniel & Shannon Whitten**, Elliot Lane, Cross, TMS# 030-00-03-012, (1.05 acres), **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District.** Council District No. 7.

[Recommended by Committee on Land Use]

6. **Bill No. 04-11**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Arthur White**, 4732 N. Highway 52, St. Stephen, TMS# 016-00-07-019 (1.09 acres), **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District.** Council District No. 7.

[Recommended by Committee on Land Use]

FIRST READING:

1. **Bill No. 04-12**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Michael Alston** for Geneva Dixon, Travis Lane, Cainhoy, TMS# 268-00-00-107, (1 acre), **from R-2, Manufactured Residential District, to GC, General Commercial District.** Council District No. 8.

[Recommended by Committee on Land Use]

2. **Bill No. 04-13**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Linda A. Gibson**, et al, Highway 33, Cainhoy, TMS# 271-00-02-029, (4.3 acre portion of 58.10 acres total), **from F-1, Agricultural District, to GC, General Commercial District.** Council District No. 8.

[Recommended by Committee on Land Use]

3. **Bill No. 04-14**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Patrick D'Angelo**, Rose Drive, Summerville, TMS# 221-00-00-092, (1 lot), **from R-1MM, Multi-Section Residential District, to GC, General Commercial District.** Council District No. 4.

[Recommended by Committee on Land Use]

4. **Bill No. 04-15**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Tommy Travis Grooms** for Patricia Grooms, 117 Presley Lane, Summerville, TMS# 221-00-00-093, (1 lot), **from R-1MM, Multi-Section Residential District, to GC, General Commercial District.** Council District No. 4.

[Recommended by Committee on Land Use]

5. **Bill No. 04-16**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Elizabeth Brown**, 1535 Rose Drive, Summerville, TMS# 221-00-00-087, (3.06 acres), **from R-1MM, Multi Unit Manufactured Residential, to GC, General Commercial District.** Council District 4.

[Recommended by Committee on Land Use]

6. **Bill No. 04-17**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **John Wilson**, Intersection of Hwy 6 & 16, Moncks Corner, TMS# 121-00-00-015, (1.34 acres), **from F-1, Agricultural District, to GC, General Commercial District.** Council District No. 6.

[Recommended by Committee on Land Use]

7. **Bill No. 04-18**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Thomas & Hutton Engineering** for D. R. Horton, Inc., Rivers Reach Road, Cainhoy, TMS# 269-00-00-009, (11.1 acre portion, 67.23 acres total), **from F-1, Agricultural District, to R-4, Multi Family District Small Scale.** Council District No. 8.

[Recommended by Committee on Land Use]

8. **Bill No. 04-19**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Roger Greene**, 2253 Santee River Road, St. Stephen, TMS# 049-00-02-018, (3 acres), **from F-1, Agricultural District, to GC, General Commercial District.** Council District No. 8.

[Recommended by Committee on Land Use]

9. **Bill No. 04-20**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Thomas Walker**, 117 Berkeley Farms Road, Summerville, TMS# 233-08-03-028, (1 lot), **from GC, General Commercial District, to R-2, Manufactured Residential District.** Council District No. 4.

[Recommended by Committee on Land Use]

10. **Bill No. 04-21**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Amy Savage**, 107 Berkeley Farms Road, Summerville, TMS# 233-08-03-029, (1.3 acres), **from GC, General Commercial District, to R-2, Manufactured Residential District.** Council District No. 4.

[Recommended by Committee on Land Use]

11. Bill No. 04-22, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Gray McSweeney** for Wando Developers LLC, 1161 Cainhoy Road, Cainhoy, TMS# 263-00-01-056, (4.57 acres), **from RNC, Rural and Neighborhood Commercial District, to GC, General Commercial District**. Council District No. 8.
[Recommended by Committee on Land Use.]

12. Bill No. 04-23, An Ordinance to amend Ordinance No. 03-06-38, adopted June 16, 2003, to provide for supplemental appropriations and allocations thereof within the 2003-2004 budget for Berkeley County; and other matters relating thereto.
[Recommended by Committee on Finance]

RESOLUTIONS:

1. RESOLUTION providing for the Transfer of Funds in the 2003-2004 Berkeley County Budget for County Purposes other than as specified in said Budget.
[Recommended by Committee on Finance]

2. RESOLUTION providing for the Transfer of Funds in the 2003-2004 Berkeley County Water and Sanitation Authority Budget for Authority purposes other than as specified in said Budget.
[Recommended by Committee on Water and Sanitation]

3. RESOLUTION authorizing the County Supervisor to negotiate and execute a contract with the Berkeley Charleston Dorchester Council of Governments for planning services regarding review of the Berkeley County Comprehensive Plan as mandated by S.C. Code of Law Section 6-29-510, 1976, as amended.
[Recommended by Committee on Finance]

4. RESOLUTION to request the Berkeley County Legislative Delegation to recommend certain funds for a study to enhance and promote public boating access.
[Recommended by Committee on Public Works and Purchasing]

5. RESOLUTION designating surplus property of Berkeley County and authorizing the disposal of the surplus property.
[Recommended by Committee on Public Works and Purchasing]

REPORTS FROM STANDING COMMITTEES:

- 1. Committee on Finance.**
Councilmember, Mr. Dennis L. Fish, Chairman.
 - a. Re-designation of lease purchase funds.
 - b. Additional funds for Comprehensive Plan review.
 - c. Additional funds for liability insurance premiums.

2. **Committee on Land Use.**
Councilmember, Mr. Milton Farley, Chairman.
 - a. Recommendation for denial:
 - i) **Request** by **Jessco**, Sangaree Parkway, Summerville, TMS# 233-00-00-034, (5.9 acres), **from R-1, Single Family Residential District, to GC, General Commercial District.** Council District No. 4.
3. **Committee on Public Works and Purchasing.**
Councilmember, Mr. Caldwell Pinckney, Jr., Chairman.
 - a. Sole source purchase GIS database upgrade.
 - b. Bids and Recommendations:
 - i) Berkeley County Office Building.
 - ii) SCIBRS Record Management System Software.
 - iii) Berkeley County Court House and Annex Selective Roof Replacement.
4. **Committee on Justice and Public Safety.**
Councilmember, Mrs. Judy C. Mims, Chairman
 - a. Clerk of Court: Additional funds
5. **Committee on Water and Sanitation.**
Councilmember, Mr. Steve C. Davis, Chairman.
6. **Committee on Planning and Development.**
Councilmember, Mr. Charles E. Davis, Chairman.
7. **Committee on Community Services.**
Councilmember, Mrs. Judith K. Spooner, Chairman.
 - a. Federal Library Service and Technology grant.
8. **Committee on Human Services.**
Councilmember, Mr. William E. Crosby, Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

ACCOMMODATIONS TAX ADVISORY COMMITTEE
BCD COUNCIL OF GOVERNMENTS
BERKELEY COUNTY LIBRARY BOARD
BERKELEY COUNTY MENTAL HEALTH BOARD
BERKELEY-CHARLESTON-DORCHESTER - RTMA
BOARD OF ZONING APPEALS
CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS
HOUSING BOARD OF ADJUSTMENTS AND APPEALS
SANTÉE COOPER COUNTIES PROMOTION COMMISSION

**SPIERS LANDING COMMISSION
TAX ASSESSMENT REVIEW BOARD**

CORRESPONDENCE

UNFINISHED BUSINESS

NEW BUSINESS

ANNOUNCEMENTS

The APRIL 2004, Regular Meeting of Berkeley County Council will be held on MONDAY APRIL 19, 2004, IMMEDIATELY FOLLOWING PUBLIC HEARINGS, AND THE MEETING OF THE COMMITTEE ON FINANCE AT 6:00 PM, in THE ASSEMBLY ROOM, 223 NORTH LIVE OAK DRIVE, MONCKS CORNER, S. C.

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

March 10, 2004
S/Barbara B. Austin
Clerk of County Council